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Dawn M. Oleszak

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Date: December 14, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): James C. Muth et al

Docket No.: 353.324

Serial No.: 10/542,130

Filed: July 13, 2005

International Appln. No. PCT/US2004/007621

Priority Date: March 14, 2003

Title: *Variably configurable Track-Type Mobile Shelving System*

TRANSMISSION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Mail Stop PCT
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the "Notification of Missing Requirements Under 35 U.S.C. 371

In the United States Designated/Elected Office (DO/EO/US)", mailed December 2, 2005, copy attached, enclosed for filing in the above-noted application is the executed Declaration.

The box claiming "small entity status" was erroneously checked on the fee transmittal forwarded with the application. Applicant is in fact a large entity, and the filing fees paid correspond with those of a large entity.

A check in the amount of \$130.00 is enclosed to cover the surcharge for late filing of the Declaration. The Commissioner is hereby authorized to charge any fees in connection herewith to applicant's attorney's Deposit Account No. 50-1170.

Respectfully submitted,

12/27/2005 GFREY1 00000075 10542130

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By

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/542,130	James C Muth	353.324

INTERNATIONAL APPLICATION NO.

PCT/US04/07621

I.A. FILING DATE	PRIORITY DATE
03/12/2004	03/14/2003

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CONFIRMATION NO. 8714
 371 FORMALITIES LETTER



OC000000017567792

Date Mailed: 12/02/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/13/2005
- U.S. Basic National Fees filed on 07/13/2005
- Priority Documents filed on 07/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

DEC - 5

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,130	PCT/US04/07621	353.324

FORM PCT/DO/EO/905 (371 Formalities Notice)